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**50**th plenary meeting
Tuesday, 9 November 1999, 10 a.m.
New York

*President:* Mr. Gurirab . . . . . (Namibia)

*The meeting was called to order at 10.15 a.m.*

**Agenda item 33**

**Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba**

**Report of the Secretary-General (A/54/259)**

**Draft resolution (A/54/L.11)**

**The President:** I call on Mr. Ricardo Alarcón de Quesada, President of the National Assembly of People's Power of Cuba, to introduce draft resolution A/54/L.11.

**Mr. Alarcón de Quesada** (Cuba) (*spoke in Spanish*): In seven consecutive years the General Assembly has adopted by a large majority seven resolutions similar to the one I now have the honour to introduce, clearly establishing the need to put an end to the economic, commercial and financial blockade imposed by the United States against Cuba. They have all been ignored. Instead of complying with them, in that same period Washington has enacted two laws, numerous amendments and executive and legislative provisions extending and intensifying a policy that has been rejected by the international community.

On 13 April this year, a Cuban-European corporation was arbitrarily deprived of its rights by a United States court that was forced to take such action by an amendment surreptitiously appended to the 1999 appropriations bill. International agreements on trademarks and patents have thus become the most recent victims of a policy that is as insolent as it is irresponsible.

Nor has Washington respected its own commitments. It promised to partially modify some secondary aspects of the most offensive of its laws — at least those having to do with the denial of visas to foreign business executives investing in Cuba — but it has done absolutely nothing in this regard. On the contrary, not long before this meeting, it published threats against several companies from Europe and other countries. These actions directly and explicitly contradict the widely publicized agreement with the European Union and also constitute an escalation in the application of the so-called Helms-Burton Act because, in this case, Washington is acting on behalf of persons who were not American citizens when their properties were nationalized.

The resolutions have been ignored and understandings have been violated. At the same time, that country is carrying out a dishonest campaign aimed at creating confusion and at perpetuating its unacceptable conduct, which goes against the legal and ethical obligations that all States must respect. Pressure and manoeuvres intended to thwart the actions of the Assembly have multiplied this year.

Letters have been sent from Washington and other moves have been made urging Member States to vote against the draft resolution introduced by Cuba. I am not

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revealing any secrets. I am sure the Assembly is familiar with the text of those communications signed by senior State Department officials. I have three of them here with me. These letters are examples of arrogance and a lack of respect for the dignity of the Member States and the intelligence of their representatives. The Organization's largest debtor — the country that is mainly responsible for the Organization's financial crisis because it has not paid its meagre assessment while it reaps the greatest benefits from the income obtained from the United Nations and all its Members by virtue of the privilege of being the host country — not only ignores the repeated decisions of the Assembly, but insults it with its presumptuousness and lies.

How can they say at this time that there is no blockade, that "the embargo is a bilateral issue" and that "its regulations apply only to persons or entities subject to United States jurisdiction"?

Who do they think they are fooling? If this is so, why have other countries that are trade partners of the United States been forced to adopt specific regulations to protect themselves from its extraterritorial intentions? Why has it been necessary to resort to the World Trade Organization? Why has there been a majority vote in the Assembly every year? Or are they perhaps trying to tell us that all persons and entities on the planet are subject to Washington's jurisdiction?

This letter not only is an offence to the international community, it also mocks the American people and their elected officials. It does so when it says without the least bit of shame that the Government of the United States is "facilitating greatly the export of U.S. medicines and medical supplies to Cuba, and permitting food sales".

After thoroughly considering the matter, the American Association for World Health refuted this utterly cynical falsehood by concluding that the "embargo's restrictions signify the deliberate blockading of the Cuban population's access to food and medicine".

If there is a shred of truth in the State Department's fallacy, why do American farmers protest and demand specifically to be allowed to sell their products to Cuba? Why did 70 senators strive unsuccessfully to put an end to this prohibition? Or is the United States Senate also unworthy of the respect of Washington bureaucrats?

In the letter they have circulated, they claim that the purpose of the blockade is "to restore freedom and democracy in Cuba", and they attempt to slander our country by accusing it of alleged human rights violations. This comes from a Government that with its economic war denies all Cubans — including children, sick people, the elderly and women — essential food and necessary medicines to save lives or relieve pain; a Government that supported Batista's dictatorship to the very end and that trained, armed and advised the henchmen and torturers who murdered 20,000 Cubans; a Government that attacks the Cuban people because it has never forgiven them for defeating tyranny and reaching full liberation through their heroic struggle.

The American document also omits some important details. It fails to mention that Washington shamelessly interferes in Cuba's internal affairs and that it organizes, promotes and finances subversive actions intended to undermine Cuban society and overthrow its Government. All of this it proclaims openly.

For example, a United States Agency for International Development (USAID) press release lists in detail the funds spent on these activities during the first eight months of 1999, which total $6,111,000. This amount, which was budgeted under section 109 of the Helms-Burton Act, represents only a small percentage of the resources that have been overtly used against Cuba. Another $22 million was allocated this year for illegal radio and television broadcasts. This is federal budget money which is directly and openly supplied by Government agencies, to which we would have to add those funds that are indirectly handed out through seemingly private agencies.

We can only imagine the amount of money, which is certainly considerable, that is secretly channelled through the Central Intelligence Agency, to which reference is made in section 115 of that same Act, or the funds that are earmarked, under section 108, for secretly gathering information on the Cuban economy and the activities of foreign companies there. These provisions serve as a basis for the punitive measures that Washington takes against the executives of those companies and their relatives, on which the Administration regularly reports to Congress — confidentially, of course.

Freedom and democracy are not the exclusive property of the United States, and its Government has no reason to claim them as its own. No one has empowered it to decide what the political and social organization of other countries should be, and Cuba is not, and will never again be, its colony. The economic warfare against

Cuba began at precisely the moment when the Cubans overthrew the Batista dictatorship, which was a loyal ally and servile instrument of the United States. The real purpose of this policy is to wrest from us the freedom and democracy we struggled so long and hard to win. The real goal of the blockade is to divest Cubans of their country, appropriate their lands, their homes, their schools and their hospitals, and subject them once again to United States domination. These are the real purposes of the blockade, as the infamous Helms-Burton Act states quite clearly.

Inevitably, this policy also has a negative effect on the sovereign rights of other countries, because from its first day and throughout its four decades, the blockade has continuously and systematically attacked the very foundations of civilization through its most sacred principle: the right to life of an entire nation.

Since 1959, the objective of the United States has been, and still is, to destroy the Cuban people. This is genocide, plain and simple. For four decades the blockade has been deliberately sustained against the Republic of Cuba and all of its people, bringing illness, death, pain and suffering to millions of Cubans, the victims of a policy that continues to be in force. The guilty parties should be punished under the Convention on the Prevention and Punishment of the Crime of Genocide, which was adopted on 9 December 1948. No matter how much they try to hide it, there is more than enough irrefutable evidence, and recently declassified official documents offer additional proof.

On 1 January 1959, even before the revolutionary government was in place, the first blow was dealt to the national economy, when the persons who had plundered the Treasury escaped to the United States under the protection of that country. They took with them $424 million — the country's only reserves. This money has never been returned to Cuba.

Not only did they gain control of these Cuban assets, but, on 12 February of that same year, the Washington Government decided not to grant any loans to Cuba, not even the very modest one that was requested to support the Cuban currency, which had been the victim of this brutal robbery.

The economic war against Cuba began before the adoption of the first revolutionary measure, and long before the Cuban revolution was proclaimed a socialist one. From the very beginning, the war was, as it continues to be today, directed against the Cuban nation, against its independence and against all the Cuban people.

In a United States State Department memorandum dated 24 June 1959, the essence of the policy already being implemented against Cuba was clearly set forth. It considered depriving Cuba of its quota in the United States sugar market, so that

> "the sugar industry would promptly suffer an abrupt and immediate decline, causing widespread further unemployment. The large numbers of persons thus forced out of work would begin to go hungry."

At the same meeting, United States Secretary of State Herter defined these initial steps as "measures of economic warfare". Another document, drafted on 6 April 1960 and approved that same day, expanded the aggression even further and was even more specific:

> "Every possible means should be undertaken promptly to weaken the economic life of Cuba...to bring about hunger, desperation and the overthrow of the Government."

A genocidal strategy was put into effect that has now lasted for four decades. Three generations of Cubans have suffered its consequences: two thirds of the current Cuban population were born after it came into effect and have lived their entire lives under it. The Cuban people have had to suffer, survive and pursue their development under totally unfair and unjustifiable conditions, imposed in the most cold-blooded and calculated manner by the most powerful nation on earth, which is thereby seeking to destroy the Cuban nation and exterminate its people.

The blockade has been implemented by nine United States Administrations. They have enforced it through laws, regulations and by-laws in violation of both law and morality; they have attempted to force other nations to comply with it, thereby trampling on their sovereignty and destroying international norms; they have threatened and oppressed citizens of the United States and other countries; and they have pressured and bribed people everywhere, attempting to deceive and manipulate the entire world.

This blockade has always been extraterritorial in nature, because it seeks to rob Cuba of its independence, trample on the sovereignty of other countries and punish the entire Cuban population with deliberate cruelty. That is the way it has always been, from the very first day, 40

years ago. For confirmation of that fact, we need only examine the provisions contained in the Cuban Assets Control Regulations, which have been in effect since 8 July 1963. They include numerous illegal measures that interfere with the legitimate economic and commercial activities of foreign companies based outside United States jurisdiction, as well as complete prohibitions not only against the Republic of Cuba, but against all Cuban nationals, without exception, residing in Cuban territory, who are prevented from engaging in any transactions, while all of their property, deposits, savings, inheritances and pensions in the United States have been confiscated.

The United States authorities have used innumerable methods in carrying out with impunity the abominable crime they are committing against my people. They have had no qualms about lying to this very Assembly, as they will surely do once again today.

It was very recently demonstrated beyond any doubt that this genocidal policy has not been modified and that those who are implementing it are prepared to do anything to prolong it indefinitely. Last August, by a vote of 70 to 28, the United States Senate voted in favour of including an amendment in the agricultural appropriations bill aimed at revising the policy of unilateral economic sanctions imposed by Washington on other countries by eliminating the prohibitions relating to food and medicine. While the United States Senate was promoting this initiative, Cuba became the only country in the world to which the United States unilaterally prohibits the sale of food and medicine. On 27 July the United States lifted its prohibition against Iran, Libya and the Sudan, and on 17 September the prohibition against the People's Democratic Republic of Korea was removed.

Despite its wide support in the Senate, the amendment was not included in the text of the bill that was finally adopted. In order to eliminate the proposal, voting was blocked in the Senate/House conference committee, which was arbitrarily shut down in violation of the usual legislative practices and procedures of that country. A considerable number of United States lawmakers protested and denounced the unusual situation that forced them to adopt a text that did not represent the interests of the majority. What led to that unprecedented action? Senators Ashcroft and Brownback and Representative Nethercutt, the authors of the amendment, signed a statement, which was published on 20 October in *The Washington Times*, in which they explained why the vote on the amendment was blocked. They said that the reason — the sole reason — was the belief that "The unilateral food and medicine embargo against Cuba must be maintained at any cost."

A few days ago, on 5 November, William Clinton himself acknowledged that the decision to deny those products to Cuba had been the only reason for what happened in Congress. Curiously, on that same day, when speaking before a different audience, the President of the United States insisted on keeping the blockade in place and tried to justify it, although he had to admit that almost everybody rejected it.

The group that controls the leadership of the United States Congress went so far as to break with democratic procedures in its determination to continue depriving the Cuban people of food and medicine; they are now the only people on earth against whom Washington is unilaterally applying such a criminal policy — a practice that half a century ago was prohibited, even in time of war, by the Geneva Conventions. As if that were not enough, by prohibiting its subsidiaries abroad from trading — their sales in food and medicine totalled more than $700 million — Washington is forcing others to collude in this crime.

In order to ensure a total prohibition on exports of food and medicine to Cuba, they have turned a deaf ear to the demands of farmers and other sectors of United States society and have disregarded the views of most of their lawmakers. To deny the Cuban people access to food and medicine from the United States, the perpetrators of this genocide have even resorted to this "affront" — to borrow the term used by the congressmen to whom I referred earlier — to their own legislative procedures.

What happened in the case of the Ashcroft amendment proves that the blockade completely prevents exports of food and medicine to Cuba. If there were any truth to the official United States propaganda, there would have been no need for such an amendment, for the votes in favour cast by 70 senators or for the clumsy scheming to exclude the amendment from the final text of the bill. By thwarting its approval, the supporters of the blockade have defied the opinion of Congress while revealing their determination to maintain the most cruel and condemnable aspects of a clearly genocidal policy.

While acknowledging the noble intentions inspiring those who strove to introduce this reform into current United States policy, I have to say that even if it had been adopted, it would have made little difference; nor

would it have made the blockade any less cruel and inhumane. How could we acquire food and medicine on the United States market while a harsh blockade is maintained, denying us the resources we need for development and preventing normal trade with the United States, a country which is also trying to sabotage our trade with the rest of the world?

The blockade has created countless obstacles to Cuba's economic development; it has made it impossible for Cuba to acquire products, equipment, goods, services and technology; it has deprived it of funding and credits; it has inflicted severe damage on its foreign trade by depressing the prices of what we sell and raising the costs of imports and transportation; it has affected every sector of the national economy, with severe consequences for the living conditions of our people.

United States bureaucrats and diplomats have tirelessly dedicated themselves to tracking down, throughout the world, every gram of Cuban nickel or sugar that might be contained in some foreign product in order to ban it from the United States market, and to preventing the sale to Cuba of any foreign product that contains so much as a particle of United States origin. This is the entirety of the blockade that must be completely, totally and unconditionally lifted.

The Government that it is my honour to represent is prepared to undertake every legal action to fight the blockade and to defend the rights of its people. In this connection, I am officially announcing to the General Assembly that we shall be filing a lawsuit against the Government of the United States for compensation in the amount of over $100 billion for the enormous damages caused to the people of Cuba by the blockade, which has now lasted over 40 years, since it actually began in 1959 with the first economic measures taken against our country.

Cuba has never capitulated and never shall. Despite the tightening of the blockade and the acts of aggression, it has succeeded in halting the downslide of its economy and has begun a process of sustained and irreversible recovery.

The capacity for resistance of its heroic, self-sacrificing and noble people is founded on a unity and a patriotism that nothing and no one will ever be able to destroy. Our people have travelled a long and hazardous road in their endless struggle for independence and justice. They know that the road ahead will not be easy either, but they march on, full of confidence, because they believe in the value of principles, and because they know that their cause is just and that it transcends the borders of their small territory.

They also believe in international solidarity, in equality and fraternity among peoples and in the political and moral strength of the General Assembly, in whose voice they trust.

**Mr. Tello** (Mexico) (*spoke in Spanish*): Faithful to its history and to its national character, Mexico is a country committed to peace, justice and equality. The principles of the United Nations Charter and of international law guide our relations with other States. This is enshrined in the political Constitution of the Republic of Mexico.

That is why Mexico has not promulgated or implemented extraterritorial legal provisions. My Government reaffirms that measures such as the so-called Helms-Burton Act are unacceptable under international law and run counter to the purposes and principles to which we all committed ourselves by ratifying the Charter of the United Nations.

In each of the past seven years, the General Assembly, by an overwhelming majority, has called on States to refrain from promulgating and applying laws that have extraterritorial effects. It will do so today for the eighth time. This appeal, which embodies the dictates of reason, law and ethics, must not continue to be ignored. That is required by the harmony that must prevail in relations among all members of the international community.

Today, as never before in the history of mankind, the challenges of globalization make it clear that we will be able to make progress towards higher levels of peace and development only through genuine international cooperation founded on full respect for the sovereignty of all nations and on commitments undertaken under international law.

The embargo against Cuba must end. My country has always rejected the unilateral imposition of coercive measures in international relations. We must without delay overcome this relic of another time, for it has no *raison d'être* in the new millennium that we must build together. Only if we are united, if we respect our differences and if we are enriched by our diversity, and only through dialogue, will we be able to realize the hopes of the founders of the Organization and achieve a

fully human world that is a concrete reflection of our shared aspirations for peace, justice and equality.

Mexico will continue a high level of cooperation and economic and trade exchanges with Cuba, a sister nation with which we are linked by ties of history, geography and culture.

In accordance with our unswerving principles, the delegation of Mexico will vote in favour of the draft resolution contained in document A/54/L.11.

**Mr. Mra** (Myanmar): First of all, I would like to express my delegation's appreciation for the Secretary-General's report contained in document A/54/259, dated 18 August 1999, on agenda item 33, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". The report, which reproduces the replies from Governments and from organs and agencies of the United Nations, amply demonstrates that the international community is opposed to the extraterritorial application of national legislation which violates the universally accepted principles of international law.

Over the past several years the General Assembly has already adopted by a growing majority, seven resolutions under this item, calling for an end to the economic, commercial and financial embargo imposed by the United States against Cuba. During the fifty-third session of the General Assembly, resolution 53/4 was adopted by an overwhelming majority of 157 votes in favour, which clearly underscores the international community's rejection of the application of unilateral and coercive measures that are extraterritorial in scope.

Despite the adoption of that resolution with a record number of affirmative votes, the United States further tightened embargo measures through stricter and more thorough monitoring of their application and the introduction of new measures to intensify their enforcement against the will of the international community. Soon after the adoption of resolution 53/4 by the General Assembly, the United States Congress passed the Omnibus Appropriations Act for fiscal year 1999, which further reinforces the Helms-Burton Act. The economic blockade has severely affected the socio-economic situation in Cuba. The economic damage until 1998 has been estimated at $67 billion, and the estimated effect of the embargo on the Cuban economy in recent years has exceeded 15 per cent of the country's annual domestic product.

The imposition of an embargo on crucial items such as medicines and food has adversely affected the health and nutritional situation in Cuba. It is most deplorable to learn that the United States has even deprived Cuba of the opportunity to purchase medicines, equipment or medical supplies from other countries through the application of the Torricelli and Helms-Burton Acts and other embargo regulations. My delegation is strongly opposed to such unjust measures and calls for ending the embargo. As we enter the new millennium, the necessity of ending the United States economic, commercial and financial blockade against Cuba becomes more imperative than ever.

It is encouraging to learn from today's news that after almost 40 years, commercial flights between New York and Havana will resume next month. We sincerely hope that such a development will pave the way for enhancing contacts between the two peoples.

Myanmar is of the view that the promulgation and application by Member States of laws and regulations, the extraterritorial aspects of which affect the sovereignty of other States, the legitimate interest of entities or persons under their jurisdiction and freedom of trade and of navigation, violate the universally adopted principles of international law. In the interest of upholding the principles of international law and the Charter of the United Nations, the delegation of Myanmar, consistent with its stand in previous years, will vote in favour of draft resolution A/54/L.11.

**Mr. Kittikhoun** (Lao People's Democratic Republic) (*spoke in French*): My delegation very much regrets that the General Assembly, for the eighth consecutive year, must once again take up the agenda item on the economic, commercial and financial embargo imposed by the United States of America against Cuba.

This embargo, which has gone on for more than 30 years, has no *raison d'être* and serves the interests of neither of the two parties involved. What is worse, it violates the sovereignty of other States and the freedom of trade and of navigation. In our view, the embargo should end, and everything must be done to support and assist this developing country, the Republic of Cuba, so that it can be reintegrated into the liberalized and globalized world economy.

Like all peace-loving peoples in the world, the Cuban people seeks only to live in peace and dignity. Certainly this brave people would also very much like to

promote its economic relations with all the peoples of the world, including the American people. The international community must do its utmost to encourage the two parties, the Republic of Cuba and the United States, to seriously continue their negotiations and come to an agreement in order to resolve their differences as soon as possible.

The blockade against Cuba, which is anachronistic and even has extraterritorial effects, is absurd. Unfortunately, the blockade still goes on and is even being tightened. We believe it is unfair to punish a people — an entire people — that has not committed any crime. Is it not high time to put an end to this restrictive commercial practice that runs counter to the present global trend favouring dialogue and international economic cooperation? It is in this spirit that my delegation will vote in favour of draft resolution A/54/L.11.

**Mr. Dorda** (Libyan Arab Jamahiriya) (*spoke in Arabic*): I am not here merely to reaffirm that we will vote in favour of the draft resolution now before the Assembly. This is obvious to delegations, and there can be no doubt about it. I am addressing the Assembly in order to congratulate the Cuban people — the people of a small country that for 40 years has stayed the course, maintaining its opposition to the United States and thus furnishing proof that it can live in full freedom on its national soil, despite the presence of a pernicious neighbouring Power, that does not respect the international community or international law or conven ions. It does not even respect itself.

With regard to the Cuban people, they deserve whatever support and respect we can give them because they have chosen to live in freedom and dignity, even if this dignity demands privations because of the blockade and the attacks on their sovereignty. The Cubans have not accepted a fistful of dollars in exchange for their dignity.

The Cuban people serves as a model for all peoples who thought that after the disappearance of the former international balance of power, the United States would become the new god. I urge all those whose faith has been destabilized and threatened to renew their faith in God, because God alone and no one else can help them in their resolve. Not the United States, nor any other world Power, can take the place of the Almighty.

I call upon all peoples whose leaderships have begun to bow down before the United States, not to accept the violation of their dignity, their territorial integrity and their sovereignty. I urge them to model themselves on the Cuban people, who have maintained their existence and freedom, opposed their powerful neighbour and refused to bend to its will.

A life of dignity, even for one day, will go down in history, and posterity will truly remember it. The United States is not a god and has no real power. Power belongs to God alone.

The official United States position vis-à-vis Cuba is part of an enormous campaign that has been cleverly orchestrated and manipulated. If the United States really wanted democracy in Cuba, it would not have supported Batista. Nor would the United States have supported the Iranian Shah, the dictator par excellence, nor would it have given Mobutu its absolute support. The United States continues to support non-democratic regimes, dictatorial regimes. The United States is concerned only about its own interests, not democracy.

This country that talks of international principles, of international norms, must, first and foremost, respect those norms itself. The United States shows absolutely no respect for human rights, nor for the Charter of the United Nations. How can it dare to deprive the Cuban people of the right to purchase medicines, foodstuffs and other essential goods from American markets? By what right can the United States do this? Or is humanity monopolized by the interests of United States citizens alone?

We protest the absurd unilateral adoption by one State of laws that seek to govern all of humanity. Cuba and all the free countries of the world that cherish their dignity and freedom have the right to protest these unilateral actions and must reject them. The United States wants to dictate its will to the world; the rest of us are, apparently, outlawed by the legislation of the United States, because we believe in God and have profound faith in ourselves. We will not bend to America's will.

I say to those States that thought that the end of the world would come with the disappearance of the old balance of power, "Follow Cuba's example." Cuba is a model for us. The Cuban people have preserved their dignity and freedom, because to live in dignity for one day is to be valued above all else.

Libya will support the Cuban people in their suffering, as we have always done with oppressed peoples, so as to prevent one State from controlling our world. In our country, as in Cuba, we want to preserve

our freedom, independence and resources, and so we proudly say to that one State, "No".

**Ms. Ramírez** (Argentina): (*spoke in Spanish*): The General Assembly is meeting once again to consider the necessity of ending the economic, commercial and financial embargo against the Republic of Cuba. In this context, the Argentine Republic wishes to express its appreciation to the Secretary-General for his report, in which we are offered a complete overview of the perceptions of the international community.

My country believes that representative democracy, in the framework of plurality and freedom of the press, is the best political system for guaranteeing respect for human rights and individual freedoms. In the area of development, we maintain that economic freedoms and private initiative are the engine of the true growth of nations.

Within this concept of the world and society, which is inseparably linked to the idea of freedom, Argentina maintains that unrestricted respect for the letter and the spirit of the United Nations Charter is the essential foundation that sustains the functioning of the international community. In that sense, the application of unilateral economic and trade measures against one State and their extraterritorial implementation affect the freedom of the States Members of the Organization in a way that does not seem compatible with the Charter.

The Argentine Republic feels that any dispute that may emerge in the bilateral relations between two countries must be channelled through the procedures established in the Charter. We are also convinced that the lifting of the embargo imposed on the Republic of Cuba is the best way to promote freedom of trade, communications, flexibility and dialogue, the irreplaceable means of promoting change towards a representative democracy in Cuba.

The Argentine Republic has promulgated an act establishing that foreign legislation which is aimed, directly or indirectly, at restricting or impending the free flow of trade and the movement of capital, goods or persons to the detriment of a given country or group of countries shall neither be applicable nor have legal effects of any kind within Argentine territory. Furthermore, foreign legislation which seeks to have extraterritorial legal effects through the imposition of an economic embargo or limits on investment in a given country in order to promote a change in the form of government of a country or affect its right to self-determination shall also be utterly inapplicable and devoid of legal effect.

Argentina will therefore vote in favour of the draft resolution before us.

**Mr. Pham Binh Minh** (Viet Nam): The Vietnamese delegation attaches great importance to the question of the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba, under consideration by the General Assembly.

During the past seven consecutive sessions, the General Assembly has had this item on its agenda and adopted, with overwhelming support from member countries, the resolutions urging an immediate end to policies that resort to the application of extraterritorial laws and coercive measures against a sovereign nation. These policies violate the most fundamental principles and purposes enshrined in the Charter of the United Nations, namely, the principles of national sovereignty, non-interference in the internal affairs of States and freedom of international trade and navigation.

Once again, my delegation wishes to join the international community in calling upon the United States of America to put an end to the embargo and blockade it has imposed on the Republic of Cuba for so many years. The policies of embargo and blockade have caused huge material losses and economic damage to the Cuban people. Viet Nam firmly holds that there is no justification for the continuation by one day further of these hostile policies. In fact, these policies should never have been applied in any case.

My delegation also wishes to underline that the differences between the United States and the Republic of Cuba should be settled through the means of dialogue and negotiation on the basis of mutual respect and respect for the independence and sovereignty of States. In line with this, Viet Nam welcomes every effort of the parties concerned to this effect.

In conclusion, Viet Nam reaffirms its unwavering support, cooperation and solidarity with the Cuban people and Government. Together with all the peace-, freedom- and justice-loving nations of the world, the Vietnamese people will continue to do its utmost to assist the Cuban people to overcome the impact of the embargo and blockade imposed upon them. Viet Nam will therefore again vote in favour of the draft resolution under consideration.

**Mr. Wehbe** (Syrian Arab Republic) (*spoke in Arabic*): For the eighth consecutive year, the General

Assembly is considering the item on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

The United Nations Charter enshrines the right of States to exercise sovereignty over their territory, as well as the principle of non-interference in their internal affairs. All United Nations Members, in particular the major Powers, are expected to respect the provisions of the Charter, which serves as the constitution of the Organization and its supreme law.

The blockade that has been imposed against Cuba for more than four decades has caused that country grave economic, social and political harm. This situation has been a source of constant concern to the international community in recent decades and it is high time to resolve this thorny problem.

The Syrian delegation pays tribute to Cuba, which has repeatedly declared its desire to resolve the problem of the embargo through dialogue. We therefore support Cuba's sincere appeal to the United States to establish constructive dialogue to resolve all the differences between them on the basis of equality, mutual respect, non-interference in internal affairs and good-neighbourly relations.

A cursory review of the results of the voting on the resolution submitted under this item for the past seven years clearly reveals that the number of countries supporting it has constantly increased, while abstentions and votes against it have significantly decreased. This is a striking illustration of the international community's sympathy for Cuba and its support for the need to lift the embargo and to respect the political, economic and social systems chosen by each Government of its own accord, based on its appropriate national interests. We wish to reaffirm that any measures taken by a State that could, because of territorial considerations, harm or violate the sovereignty of another State, run counter to the principle of respect for the sovereignty of Member States. In this context, we also wish to recall the content of the Declaration adopted at summit of the Non-Aligned Movement in Durban, where the non-aligned countries urged the United States to lift the embargo, which has dragged on for too long and which runs counter to the Charter of the United Nations and international law.

The international community has repeatedly expressed its rejection of the Helms-Burton Act adopted by the United States, which transcends the concept of national jurisdiction and violates the sovereignty of other States that conduct business with Cuba. This Act and subsequent legislative amendments, particularly the 1999 American Omnibus Appropriations Act, which contains 12 amendments on Cuba, defy the fundamental principle of respect for the sovereignty of States. All these laws violate international trade agreements and are an affront to the will of peoples. For all these reasons, my delegation will vote in favour of the draft resolution contained in document A/54/L.11, submitted today to the General Assembly.

**Mr. Ouane** (Mali)(*spoke in French*): Starting eight years ago, the General Assembly has adopted by an ever-growing majority resolutions on the necessity of lifting the economic, commercial and financial embargo imposed against Cuba by the United States of America.

Similarly, the twelfth summit of the Non-Aligned Movement, held at Durban in September 1998, reiterated the Movement's position, that the international community must oppose all acts of interference, external intervention and coercive economic measures and other measures, including extraterritorial laws and regulations that affect the sovereignty of States, the legitimate interests of entities and persons under their jurisdiction and the freedom of trade and of navigation.

In keeping with these positions and on the basis of the relevant provisions of the United Nations Charter and universally recognized principles of international law, Mali will this year again associate itself with the Member States calling for the lifting the economic, commercial and financial embargo imposed on Cuba by the United States of America.

The Government of the Republic of Mali reaffirms the importance it attaches to respect for the principles of the sovereign equality of States, non-interference in internal affairs and freedom of trade and of international navigation, as recalled in draft resolution A/54/L.11, introduced by Cuba.

This is why we continue to oppose the extraterritorial application of national laws, which, in addition to constituting a violation of the relevant provisions of the United Nations Charter and international law, contravenes the principles and objectives of the World Trade Organization.

In the opinion of the Mali delegation, the two parties, Cuba and the United States, must take steps to resolve their disputes through dialogue and negotiation.

The Government of the Republic of Mali is seriously concerned about the repercussions of the economic, commercial and financial embargo imposed on Cuba. As indicated by the report contained in document A/54/259, the embargo has seriously hampered the socio-economic development of Cuba and has worsened the plight of millions of Cubans, particularly the most vulnerable groups, such as children, women and the elderly.

In conclusion, I would like to say that, in keeping with its position of principle, Mali will vote in favour of the draft resolution contained in document A/54/L.11.

**Mr. Kasanda** (Zambia): I shall begin by thanking the Secretary-General for his report contained in document A/54/259, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". My delegation is equally grateful to the Cuban delegation for introducing draft resolution A/54/L.11 on this matter.

Over the years, when the General Assembly has considered this subject, Zambia has voted against the embargo imposed on Cuba. We shall again this year vote in favour of the draft resolution before us. Our vote is based on our adherence to the principles of the Charter of the United Nations.

In this respect, we firmly believe that the economic, commercial and financial embargo against Cuba and the Helms-Burton legislation are a breach of international law and a violation of the principles of the United Nations Charter. The extraterritorial nature of the Helms-Burton Act is an infringement of the territorial integrity of States and an impediment to international navigation and free trade, as embodied in the World Trade Organization Final Act.

The Government of Zambia is greatly concerned with the adverse effects of the economic blockade, which has aggravated the plight of the Cuban people, especially vulnerable groups, such as children, women and the elderly. It is not surprising, therefore, that the General Assembly has repeatedly adopted numerous resolutions demanding the lifting of the economic embargo against Cuba. Zambia disagrees with the extraterritorial implementation of national laws, such as the Helms-Burton Act, because such laws fly in the face of the principle of sovereign equality of States and non-interference in the internal affairs of States. Years after the end of the cold war, we very much regret attempts to condition and erode the principles of friendly and cooperative relationships between States.

Zambia's foreign policy is based, *inter alia*, on the principle of the sovereign equality of States, non-interference and the peaceful coexistence of nations. In this respect, I would like to state that Zambia has not promulgated or applied domestic laws vis-à-vis any State that would have extraterritorial jurisdiction. Zambia strives to fulfil in good faith the obligations it assumes in international agreements and conventions.

The Government of Zambia is committed to promoting freedom of navigation and of trade. As both a landlocked and transit country, Zambia has consistently reaffirmed the right of access of both landlocked and transit States to and from the sea by all means of transportation, in accordance with international law, and it is also committed to developing rule-based trade with all countries of the world.

It is against this background of principles and respect for the rights and independence of other States that my delegation once again calls for the complete lifting of the embargo against Cuba. We are pleased to note that our relations with Cuba are based on mutual respect and the principle of non-interference in each other's internal affairs. We believe that these values are part of the foundation on which healthy relations between States should be based.

**Mr. Hasmy** (Malaysia): The item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" has been on the agenda of the General Assembly for the last seven consecutive years.

The adoption of resolution 53/4 of 14 October 1998 by an overwhelming majority of the General Assembly, as in the resolutions of previous years, was a clear rejection by this Assembly and the international community of the unilateral embargo against Cuba by the United States of America. The draft resolution before us today, which my delegation wholeheartedly supports, will undoubtedly secure the same, if not an increased, level of support. The message is clear: the international community does not support the unilateral efforts by the United States to effect extraterritorial application of what is essentially a domestic law upon Cuba, a sovereign State and a Member of this Organization.

The rejection of this hostile policy directed at Cuba was also expressed by the leaders of the non-aligned countries during their twelfth summit meeting, held in Durban in September 1998; Malaysia strongly supported the final document of that summit, wherein the heads of State or Government of the non-aligned countries reiterated their call upon the Government of the United States of America to put an end to the economic, commercial and financial actions against Cuba. This position was further reiterated in the final communiqué of the meeting of Foreign Ministers of the Non-Aligned Movement, held in New York on 23 September 1999.

Malaysia joins other countries in expressing its serious concern at the continued economic, commercial and financial embargo on Cuba by the United States, which has gravely impeded Cuba's socio-economic development and aggravated the plight of the Cuban people. We view this policy as being not only coercive but also utterly discriminatory in nature and a clear breach of the norms of international law; it runs counter to the purposes and principles of the United Nations Charter. That it is directed against a poor and small developing country that poses no threat to its mighty neighbour is particularly dismaying, especially when the United States considers itself a champion and promoter of global free trade, in which capital and goods should be able to move freely across national borders without unnecessary impediment.

Needless to say, the extraterritorial reach of the Helms-Burton Law has caused enormous economic damage and untold suffering to the people of Cuba. Mr. Alarcón, the President of the National Assembly of the Republic of Cuba, eloquently highlighted in his statement this morning the enormity of the impact of this legislation on his people. At the same time, this United States law also damages the interests of third States by inhibiting commercial transactions with Cuba. As a staunch advocate of free trade and relations between nations, on the basis of respect for the norms and principles of international law, and consistent with its own cherished values and traditions, the United States clearly cannot persist in its current policy against Cuba, with its serious humanitarian impact on the lives of the valiant Cuban people.

My delegation had hoped in past years that the overwhelming rejection by the international community of this discriminatory policy vis-à-vis Cuba would influence the United States to review its overall approach towards its neighbour and to evolve its policy of isolating Cuba to one of dialogue and accommodation, as befits relations between two geographically close neighbours. This remains our hope.

**Mr. Wibisono** (Indonesia): I would like to begin by thanking the Secretary-General for his report contained in document A/54/259. I am equally grateful to the Cuban delegation for introducing draft resolution A/54/L.11, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

In this regard, it is pertinent to mention that Indonesia has always been a country committed to justice, equality and peace. The Constitution of Indonesia clearly stipulates the importance of these principles. Their implementation is a fundamental obligation contained in the provisions of the United Nations Charter and generally recognized principles of international law. Therefore, Indonesia has consistently renounced the use of coercive measures as a means of exerting pressure in relations among the Member States of the Organization.

In this connection, it is regrettable to note that for the past 37 years a unilateral economic embargo has been imposed on Cuba, reflecting the continuation of untenable past policies. Furthermore, we are appalled by the application of a national act that has extraterritorial ramifications.

Experience has shown that sanctions rarely serve their purposes; they only inflict immense material loss and economic damage on the civilian population of the targeted State. For this compelling reason, in the last seven years, the General Assembly has adopted resolutions on the need to end the economic, commercial and financial embargo imposed by the United States on Cuba. It is important to highlight that the number of States in support of this resolution has increased year after year. Last year 157 States, or 85 per cent of the membership of the United Nations, supported resolution 53/4.

At a time when many countries have focused attention on the necessity of humanitarian intervention in conflicts, it is difficult, at least to my delegation, to understand the reasoning behind the imposition of such sanctions considering the profound socio-economic consequences. It is equally difficult to comprehend the rationalization advanced to justify subordinating the right of people to live in economic sufficiency.

With the coming of a new millennium it is encouraging to note that many changes in political perspectives and policies have actually crystallized, signalling the emergence of a positive new era. In that context, we are of the view that the time is ripe to adopt a realistic policy towards Cuba involving a transition from isolation to positive engagement.

My delegation firmly believes that the settlement of disputes among United Nations Member States should be carried out through dialogue and negotiations guided by the Charter and based on the principles of sovereignty, sovereign equality of States and good neighbourliness.

In this light, it is pertinent to note that the meeting of Ministers for Foreign Affairs and heads of delegations of the Non-Aligned Movement during the fifty-fourth session of the General Assembly, held in New York on 23 September 1999, once again called on the parties concerned to strictly comply with the relevant United Nations resolutions and emphasized the need to terminate the economic, commercial and financial sanctions against Cuba.

For these reasons, my delegation will vote in favour of the draft resolution before the Assembly.

**Mr. Andjaba** (Namibia): I wish once again to reiterate my Government's position on the continued extraterritorial extension of the commercial and financial embargo imposed on the Government and the people of the Republic of Cuba by the United States of America.

Namibia has repeatedly advocated an end to this economic, commercial and financial embargo, for we firmly believe that the Helms-Burton Act and the D'Amato legislation are a breach of international law and a violation of the principles of the United Nations Charter.

Moreover, these punitive measures are contrary to the spirit of the much-talked-about globalization, peaceful coexistence and open trade.

The economic embargo continues to have a negative impact upon the economic development of Cuba and has made it extremely difficult for the country to purchase the food, medicine, fuel and raw materials needed to sustain the lives of the Cuban people. As a result, enormous suffering has been inflicted upon the Cuban people, especially women and children.

The rejection of this hostile policy directed at Cuba was also expressed by the leaders of the non-aligned countries during their twelfth summit meeting, held in Durban, South Africa, in September 1998, as contained in the final document, which Namibia strongly supported. In that document, the heads of State or Government of the non-aligned countries reiterated their collective call upon the Government of the United States of America to put an end to the economic, commercial and financial actions against Cuba. This position was further reiterated in the final communiqué of the meeting of Foreign Ministers of the Non-Aligned Movement held in New York on 23 September 1999.

In this regard, Namibia, which maintains and enjoys excellent relations with both the United States of America and Cuba, urges the immediate lifting of this embargo for the benefit of the people of the two countries.

For these sound and practical reasons, Namibia will vote in favour of the draft resolution contained in document A/54/L.11, which was introduced earlier by Mr. Ricardo Alarcón de Quesada, President of the National Assembly of the Republic of Cuba.

**Miss Durrant** (Jamaica): The agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" is again before the General Assembly for consideration.

My delegation joins others in calling for an end to the unilateral economic, commercial and financial embargo imposed by the United States of America against Cuba. We do so out of our firm belief in the principles enshrined in the Charter of the United Nations and the need to adhere to them.

In keeping with its policy, Jamaica maintains no legislation or measures that would affect the sovereignty of any State or the legitimate interests of its nationals or would hinder the freedom of trade and navigation. Jamaica is strongly opposed to the extraterritorial application of national legislation.

As the Deputy Prime Minister and Minister for Foreign Affairs of Jamaica, stated in his address to the General Assembly at this session,

> "The continuation of the embargo against Cuba is a source of tension and carries the risk of conflict,

which is particularly troubling for neighbouring States." (*A/54/PV.17, p.4*)

Jamaica would like to see progress in the establishment of a regime of peace and cooperation in the Caribbean Sea, and to this end, we urge both parties to engage in a constructive process of dialogue to bring an end to policies of confrontation and exclusion, with a view to normalizing relations.

Accordingly, my delegation supports the content of the draft resolution contained in document A/54/L.11 and will vote in favour of its adoption.

**Mr. Bandora** (United Republic of Tanzania): As in many years in the past, the Assembly is again considering the issue of the economic, commercial and financial embargo imposed by the Government of the United States against Cuba without any indication that this unjustified measure will be lifted any time soon.

My delegation regrets that despite numerous appeals and the resolutions of the General Assembly, the United States has not yet found it possible to bring an end to these unilateral measures that continue to strangulate the economy of a Member State and hinder international trade and cooperation. We regret in particular that the embargo continues to cause undue suffering to the Cuban people, not only through its destructive economic effects but also by virtue of the limitation it has often imposed on international response to humanitarian need in that country.

We have noted the limited measures allowed by the United States Government to expand the scope of people-to-people contacts between Cuba and the United States. We remain concerned, however, that there is no indication of a path designed to expand on these measures and bring the parties to dialogue.

We further continue to be concerned that the so-called Helms-Burton Act, with its overly broad and unacceptable implications for the sovereignty of other States, remains an instrument of reference in the United States. The Assembly, as well as the Non-Aligned Movement, has taken a clear position against the Helms-Burton Act as legislation without legitimacy and lacking legality under international law. Tanzania continues to support that position, as we do the imperative for a dialogue between the two countries. We see enormous possibilities for cooperation between the two States, in spite of their differences. We do not see those differences as justifying the embargo, nor the far-reaching legislative measures undertaken by the United States against Cuba.

We also continue to be profoundly moved by the plea made on behalf of the Cuban people by Pope John Paul II following his visit to that country last year. The Pope's plea is one that over the years the Assembly, and our countries individually, has sought to underscore and reinforce at every turn. We urge our friends in the United States to heed that plea. We urge them to move away from the limiting and destructive legacies of history and to re-engage Cuba in an expanded dialogue that will lead to the ending of the embargo and the normalization of relations between the two countries.

**Mr. Bivero** (Venezuela) (*spoke in Spanish*): Multilateralism, represented by this Organization, is universally recognized as one of the best ways to promote solutions to common problems that, because of their nature and scope, require collective responses. It is for this reason that Venezuela shares the belief that there is a need for the General Assembly to continue considering the item on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

In the context of the process of growing interdependence, even as calls are being made for free access to financial markets, goods, services, it is paradoxical to witness situations in which obstacles to such interaction are erected unilaterally and without regard for their effects upon the human development of a people — even more so when we see that those obstacles are erected by applying internal norms with extraterritorial scope or effects that run counter to international public law.

Venezuela rejects the application of unilateral coercive measures such as the Helms-Burton Law because we believe that such actions violate the sovereignty of States, affect the legitimate interests of entities and citizens under the jurisdiction of third parties and undermine the rules of free trade stipulated by the World Trade Organization. That is why we wish to take this opportunity to reiterate the content of the Asunción Declaration, which was adopted at the Eleventh Summit of Heads of State and Government of the Rio Group, as well as other, similar statements issued by our region's Permanent Mechanism for Consultation and Concerted Political Action.

We would also like to point out that at the seventh Ibero-American Summit, held on Margarita Island, Venezuela, in November 1997, the Heads of State and Government of that group of countries also expressed their rejection of the application of that law because they believed that it violated the principles governing international coexistence and ran counter to the spirit of cooperation and friendship that should characterize relations among all the members of the international community.

At a time when the international community is moving towards the consolidation of democracy and fundamental freedoms, it is necessary to join efforts so that all States resolve their disputes in accordance with the measures recognized by international law, and not by political and economic coercion or any other type of pressure that undermines the sovereignty of States. Venezuela believes that the embargo against Cuba is contrary to international law, the self-determination of peoples and human development. We hope that it will be possible to put an end to it soon.

In the light of these considerations, our delegation will vote in favour of the draft resolution contained in document A/54/L.11, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

**Mr. Tchoulkov** (Russian Federation) (*spoke in Russian*): Russia supports the draft resolution before the General Assembly, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", and shares the view of the overwhelming majority of Member States of the United Nations in support of lifting the embargo imposed by the United States against Cuba, a unilateral measure that violates the provisions of the Charter of the United Nations and the basic norms of international law and justice.

We are convinced that the continuing commercial and economic blockade against Cuba by the United Sates is a relic of the cold war and that it should be halted. We continue to oppose steps by the United States to tighten the embargo and, in particular, to expand the extraterritorial, and therefore illegal, effect of the Cuban Liberty and Democratic Solidarity Act of 12 March 1996. We believe that, on the whole, this law is discriminatory and that it runs counter to the norms of international law and the principles of free trade.

Russia is seriously concerned about attempts by the United States to exert pressure on third countries and certain international organizations so that they will curtail their cooperation with Cuba. Those attempts are clearly at variance with the purposes and principles of the Charter of the United Nations. Our approach to this problem is that lifting the economic, commercial and financial embargo imposed by the United States against Cuba, in particular, and the normalization of United States-Cuban relations, in general, would help improve the situation in the region and would be conducive to Cuba's greater integration into world economic relations, thus helping it advance along the path of reform.

Russia, for its part, abides strictly by the principles set out in resolution 53/4, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". These principles are the sovereign equality of States, non-interference in their internal affairs, and freedom of trade and international navigation. We reaffirm our intention to continue to develop normal commercial and economic relations with Cuba, based on common interest and mutual benefit and implemented in strict accordance with our obligations under the Charter of the United Nations and generally recognized principles and norms of international law, without any discrimination or jeopardy to the legal rights and interests of the parties.

Of course, the Russian delegation will vote in favour of the draft resolution before us.

**Mr. Eltom** (Sudan) (*spoke in Arabic*): For the eighth successive year, the General Assembly is debating an extremely important question: that of the continued economic, commercial and financial embargo imposed coercively, unilaterally and unjustly by the United States against Cuba.

At all previous sessions, the Assembly renewed its unequivocal rejection of the promulgation and application of similar measures. We are fully convinced that they represent a clear and blatant violation of the principles of international law, those regulating the free flow and other norms of international trade. They also violate the principle of the sovereignty of States and of the sovereign equality between large and small nations.

The report (A/54/259) of the Secretary-General shows, as have his previous reports on the subject, the destructive results of the economic, commercial and financial embargo imposed by the United States of

America against Cuba as a coercive and unilateral measure. The report also shows the adverse impact of the embargo on the vital sectors of the Cuban economy, particularly the agricultural and health-care sectors.

Despite the declaration by the State enforcing this arbitrary measure that amendments to its policy will allow for the export of food and medicine to alleviate the humanitarian hardships faced by the Cuban people, the situation, as described by the Cuban Government, is very different. The United States still enforces the provisions of the embargo against Cuba strictly and comprehensively. It continues to issue official warnings and threats with the intent of punishing companies that invest in Cuba. All initiatives to amend these provisions have been thwarted.

The unilateral and coercive economic embargo imposed by the United States, as an important element of its foreign policy designed to promote its self-interest, has affected other developing countries, including the Sudan. This has been the case since November 1997. The United States, not satisfied with applying unilateral economic measures against the Sudan, has also carried out attacks against its development projects, economic infrastructure and its scarce resources and limited capabilities. It launched its military act of aggression against the Al-Shifa pharmaceutical plant in August of last year. The United States still seeks, through the use of various coercive measures, to obstruct the process of peaceful settlement of the conflict in my country, in a way that all representatives are familiar with.

This unilateral attempt to impose coercive measures constitutes a clear and blatant violation of the norms of international law and of the Charter of the United Nations. It jeopardizes the right of nations to choose and adopt their own political systems and development strategies. The resolutions of the General Assembly have already highlighted the adverse effects of these measures, which include obstructing the free flow of trade and the transfer of technology to developing countries. This prevents such States from taking part in the process of integration and constructive interaction among States, which aims at building a better future for humankind. This should occur under sound international circumstances, with full respect for the sovereignty of all States, large and small.

These measures deprive States of their right to development — one of the most important of human rights. Thus, the imposition of economic sanctions is a blatant violation of human rights.

In conclusion, the delegation of the Sudan expresses once again its firm rejection of the promulgation and application of extra-territorial laws. My delegation therefore urges the lifting of the unjust embargoes in effect against Cuba, the Libyan Arab Jamahiriya, the Sudan and all other States which are the targets of such coercive unilateral measures.

My delegation reiterates its support for the draft resolution presented by Cuba and will vote in its favour.

**Mr. Hasan** (Iraq) (*spoke in Arabic*): For 40 years now, the United States has imposed its inhumane embargo against Cuba, in violation of the principles of international law and international humanitarian law. This has taken the lives of thousands of Cubans and caused great suffering for 11 million more, as has been shown by many impartial international reports.

The more voices are heard around the world calling for the end of this inhumane embargo, the more United States intransigence increases and the more the embargo tightens. Now it is affecting other peoples besides the Cubans. The Helms-Burton Act has had devastating effects on other States. It is a direct violation of the sovereignty of other States and of their right to free trade with Cuba. Furthermore, it represents a blatant violation of the principles of the Charter of the United Nations and of international law. It is also a violation of the rules governing the free flow of international trade.

The United States embargo against Cuba, which is being steadfastly resisted by the Cuban people, is not an isolated case in the context of America's relations with the international community. In 1998, the United States imposed unilateral sanctions against 75 countries, whose populations account for more than half the world population. The United States is the only country that insists on the continuation of comprehensive sanctions against Iraq. We know, however, that the resolutions and sanctions adopted against Iraq have caused enormous damage and taken the lives of more than one million Iraqi citizens, and destroyed its infrastructure and the social fabric of its people. We ask the United States to allow justice, reason and laws to prevail in its policies, to respond to the calls of the international community and to put an end to the embargo decreed against States, and to renew dialogue and a policy of cooperation in keeping with the rules of international law and the Charter of the United Nations.

We call upon all Member States to vote in favour of the draft resolution contained in document A/54/L.11, because it sends once again a clear message to the United States to put an end to this policy of exclusion and flagrant strategy of blockade.

**The President:** Before giving the floor to the next speaker, I should like to propose, if there is no objection, that the list of speakers in the debate on this item be closed immediately.

*It was so decided.*

**Mr. Kumalo** (South Africa): I am speaking on behalf of the Non-Aligned Movement.

South Africa would like to take this opportunity once again to underline the need to end the economic, commercial and financial embargo imposed unilaterally by the United States of America on the Republic of Cuba. In this respect, we wish to recall the final document adopted at the Non-Aligned Movement summit held in Durban, South Africa, which expressed "deep concern over the widening of, the extraterritorial nature of the embargo against Cuba and over continuous new legislative measures geared to intensifying it" (A/53/667, annex I, para. 255). Furthermore, during this session of the General Assembly, the Ministers for Foreign Affairs and heads of delegation of the countries of the Non-Aligned Movement called for an end to this unilateral embargo, which is contrary to the United Nations Charter, international law and good neighbourliness. It has caused huge material losses and economic damage to the people of Cuba.

All signatories to the United Nations Charter have a duty and responsibility to strictly uphold its vision, principles and obligations. These principles are equally binding on all Member States. They reaffirm the equality of sovereign States and the requirement of non-intervention and non-interference in their domestic affairs. These principles also include freedom of international trade and navigation, both of which are integral parts of many international legal instruments.

For decades, Cuba has suffered from the unilateral imposition of this unjust economic embargo, which constitutes a violation of the basic norms governing international relations. Furthermore, the embargo continues to cause untold suffering for its civilian population.

South Africa, as well the majority of other Member States, continues to oppose the Helms-Burton Act because of the threat it poses to the sovereignty of other States and its unilateral and extraterritorial nature, as well as the fact that it inhibits the free flow of international trade. In line with the United Nations Charter and consistent with resolution 53/4, among others, the Government of South Africa therefore encourages the settlement of this dispute through peaceful negotiation between the parties. In this respect, constructive interaction will foster mutual confidence and trust as well as engender harmonious coexistence between the two nations.

South Africa will once again support the draft resolution under consideration by the General Assembly under this agenda item, in document A/54/L.11. We will do so because, as President Mbeki stressed in his address to the General Assembly at the opening of the general debate at this session, the time has come for measures to be taken to ensure that the principles of the Charter inform our actions and what happens in the world we all share.

**Mr. Nejad Hosseinian** (Islamic Republic of Iran): In almost all United Nations resolutions and decisions on financial and commercial issues and related final declarations and conclusions of high-level meetings in this system, the critical need for an equitable, secure, non-discriminatory and predictable multilateral trading system has been emphasized. The necessity of achieving an international economic and financial environment and an investment climate that are positive and favourable to developing countries, thereby facilitating an increase in their share of international trade and finance — a development necessary for world economic growth, including the creation of productive employment — has also been endorsed by consensus year after year. These instruments have also requested all countries to abolish all measures which could impede free international trade and financial transactions. In a number of high-level meetings within the United Nations, Member States reaffirmed and renewed their commitments to uphold and strengthen the multilateral trading system for the economic and social advancement of all countries and peoples.

The promotion of international cooperation and friendly relations among States, and the strengthening of commitments to the purposes and principles of the Charter of the United Nations and international law, particularly sovereign equality, non-interference in the internal affairs of other States and the peaceful settlement of disputes, have also been major objectives of the United Nations system.

Despite the existence of a new international environment which is conducive to strengthening constructive dialogue and genuine partnership to promote further economic cooperation for development, recourse to unilateral coercive economic measures has been on the rise. Such policies and measures constitute major impediments to financial freedom and the access of all countries to financial resources, and thereby hamper the economic development and expansion of financial relations at all levels.

All countries should refrain from recourse to such measures and actions, which are absolutely contrary to the provisions of the Charter as well as the principles of international law embodied in various international instruments and documents, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States. Such measures and actions adversely affect the social and economic development, as well as the humanitarian activities, of a target country, and consequently hinder the full realization of human rights by the people subjected to these measures; thus, they should be abolished if they are in place.

It is an undeniable right of every State to choose its political, economic, social and cultural system without interference in any form by another State. Since the ultimate objective of these measures is to undermine international peace and security and create political and economic instability in other countries, the Islamic Republic of Iran, like other members of the international community, advocates the removal and elimination of all economic and trade embargoes imposed upon Cuba, and believes that differences between States should be settled in a peaceful manner. In this connection the Twelfth Conference of Heads of State or Government of the Non-Aligned Movement, held in South Africa, called upon all Governments to abolish the economic, commercial and financial measures and actions against Cuba.

Cognizant of the economic, social and financial difficulties the Cuban nation is facing as a result of the embargo, my delegation would like to extend its support once again to any step that the General Assembly may wish to take to resolve the issue under consideration through peaceful means and on the basis of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. Therefore, my delegation will vote in favour of the draft resolution under this agenda item.

The international community should clearly reject the promulgation and application of unilateral actions, laws and regulations whose extraterritorial impact adversely affects the freedom of trade and finance, the sovereignty or the economic, commercial and financial interests of other States, or the legitimate interests of entities or persons under their jurisdiction.

**The President:** We shall now proceed to consider draft resolution A/54/L.11.

I shall now call on those representatives who wish to speak in explanation of vote before the voting.

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Korpi** (Finland): I have the honour to take the floor on behalf of the European Union with reference to draft resolution A/54/L.11, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta, as well as the European Free Trade Association country member of the European Economic Area, Iceland, align themselves with this explanation of vote.

Let me refer to the European Union Common Position of 2 December 1996, and reiterate on this occasion that the main objective of the European Union in its relations with Cuba is to encourage a process of gradual and peaceful transition to pluralistic democracy and respect for human rights and fundamental freedoms, as well as sustainable recovery and improvement in the living standards of the Cuban people. The European Union recognizes that some positive developments took place in 1998, but it continues to be concerned about the political and economic situation in Cuba, and expresses its hope for durable and substantive improvements.

More recently, the Cuban social, political and economic situation has seen very little change, and the

human rights situation has seen no change at all. The positive development of human rights after the visit of the Pope has not continued. For example, four leading Cuban dissidents were condemned in a closed juridical procedure to imprisonment. The international community reacted strongly against that act as a violation of freedom of expression. The European Union is concerned about some aspects of the law adopted on 16 February 1999 by the National Assembly penalizing the exercise of the right of citizens to express opinions and to disseminate information.

The European Union emphasizes the fundamental responsibility of the Cuban authorities regarding human rights such as freedom of thought, opinion, expression, assembly and association, and rights associated with the administration of justice, and in this connection urges them to liberate and fully reintegrate into society all prisoners of conscience. We appeal to the Cuban authorities to cooperate fully with international human rights bodies and mechanisms.

Cuba has been very active in various international and regional forums. The European Union welcomes its participation in the summit between States of the Latin America and the Caribbean and the European Union that was held in Rio de Janeiro in June 1999.

The European Union acknowledges that steps towards better economic integration have been taken by the Cuban Government and stresses the need for a progressive and irreversible opening of the Cuban economy. The European Union reiterates its wish to be Cuba's partner in such a process. However, its full cooperation with Cuba will depend upon improvement in human rights and in political freedom.

As expressed in the European Union Common Position of 2 December 1996, it is not our policy to bring about change by coercive measures with the effect of increasing the economic hardship of the Cuban people.

The European Union believes that United States trade policy towards Cuba is primarily a matter for those two Governments. But the European Union has made clear its opposition to the extraterritorial extension of the United States embargo, such as that contained in the so-called Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

Furthermore, we wish to reaffirm that the European Union's strong opposition, both in law and in principle, to the imposition of secondary boycotts and to legislation with extraterritorial and retroactive effects remains unchanged.

In November 1996 the Council of Ministers of the European Union adopted a regulation and a joint action to protect the interests of natural or legal persons resident in the European Union against the extraterritorial effects of the Helms-Burton legislation; these prohibit compliance with that legislation.

On 18 May 1998, at the European Union/United States summit in London, a package was agreed with regard to United States sanctions laws, including a commitment by the United States Administration to resist future extraterritorial legislation of this kind and an understanding with respect to disciplines for the strengthening of investment protection.

The European Union takes the view that this represents an important step forward towards resolving the outstanding questions with the United States on this matter. We emphasize, however, that the European Union's commitment to implementing the package must be matched by the United States side. We look forward to progress in this area.

For all these reasons, the States of the European Union will unanimously support the draft resolution before us today.

**Mr. Burleigh** (United States of America): The United States opposes this ill-advised draft resolution and encourages all other delegations to do likewise. The decision of the United States to maintain a trade embargo against the Government of Cuba is strictly a matter of bilateral trade policy and not a matter appropriate for consideration in or by the General Assembly. The contention, implicit in the draft resolution, that the United States forbids others from trading with Cuba is simply wrong. Sovereign States themselves decide with which other States they will trade. Because of the repressive policies and actions of the Castro Government itself, the United States chooses not to trade with the Cuban Government.

The United States imposed and maintains a bilateral economic trade embargo as one element of a policy of promoting democracy in Cuba. While maintaining the bilateral trade embargo, the Clinton Administration has moved to expand dramatically people-to-people contacts with the Cuban population, to increase remittances and to allow the sale of food and agricultural inputs to private

entities. The American people have been extremely generous in providing humanitarian assistance to Cuba. The goal of this policy is to foster a transition to a democratic form of government, to protect human rights, to permit a civil society to thrive and to provide for the economic prosperity that the Cuban Government's disastrous economic polices are denying the Cuban people.

The authorities of the Castro Government believe that the human rights of the Cuban people — or, rather, the lack thereof — are a concern for them alone. My Government disagrees. Our fundamental premise, based on the Universal Declaration of Human Rights, is that human rights violations in any one State are of concern to the entire international community.

The focus of the international community, as manifested in the United Nations, should be on the continuing human rights crisis in Cuba rather than on bilateral aspects of the United States efforts to facilitate a peaceful transition to democracy in Cuba. The draft resolution under consideration serves only to distract the attention of the international community and, worse, may encourage the Cuban authorities to persist in their tragically misguided policies.

**Mr. Sychov** (Belarus) (*spoke in Russian*): The delegation of the Republic of Belarus will support the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", document A/54/L.11.

The Republic of Belarus does not agree with the adoption of any unilateral extraterritorial measures of a coercive nature, which run counter to the norms of international law and the provisions of the Charter of the United Nations, which authorize the Security Council alone to act in regard to the imposition of sanctions. These measures run counter to the generally recognized principles of the sovereign equality of States and non-interference in their internal affairs.

We call upon States Members to take further steps to eliminate discriminatory trade practices and to halt the unilateral economic, commercial and financial embargo against Cuba.

**The President**: We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take a decision on draft resolution A/54/L.11.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Israel, United States of America

*Abstaining*:

Estonia, Georgia, Latvia, Micronesia (Federated States of), Morocco, Nicaragua, Senegal, Uzbekistan

*Draft resolution A/54/L.11 was adopted by 155 votes to 2, with 8 abstentions (resolution 54/21).*

[Subsequently, the delegations of Cameroon, Saint Vincent and the Grenadines and Saudi Arabia informed the Secretariat that they had intended to vote in favour.]

**The President**: I shall now call on those representatives who wish to speak in explanation of vote on the resolution just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Yoshikawa** (Japan): Japan shares the concern expressed by many delegations today regarding the problem of extraterritorial application of jurisdiction, such as that arising from the Helms-Burton Act of the United States. My Government has been closely following the implementation of the legislation and the circumstances surrounding it, and Japan's concerns remain unchanged. Thus, having considered the matter with utmost care, my delegation voted in favour of draft resolution A/54/L.11.

While Japan supports the draft resolution, we continue to believe that it might be worth considering whether the United Nations General Assembly is in fact the most suitable forum in which to address this very complex issue. As regards the economic embargo by the United States against Cuba, Japan believes that it is appropriate for both countries to seek a solution through bilateral dialogue and thus calls upon them to strengthen efforts towards that end.

I would like to take this opportunity to refer to the human rights situation in Cuba. My Government welcomes the visit of the Special Rapporteur on violence against women, appointed by the Commission on Human Rights, who reported that many positive measures to improve the status of women have been taken by the Cuban Government. However, Japan remains concerned at the current human rights situation in Cuba and continues to hope that it will be improved.

**Mr. Duval** (Canada) (*spoke in French*): Canada shares with the United States the goal of encouraging democracy and liberalization in Cuba. However, we have been seeking this goal through different means. The Government of Canada continues to believe that a policy of constructive engagement has much more chance of having a beneficial effect on Cuba in the long run.

Canada is fundamentally opposed to the economic embargo, and we voted in favour of draft resolution A/54/L.11, calling for an end to sanctions. This 40-year embargo's effectiveness in achieving its objectives and encouraging the liberalization of Cuba has been negligible.

Canada welcomes with satisfaction the nascent signs of greater openness and greater flexibility on the part of the United States, in particular the announcement of additional person-to-person contacts between the two countries. We have long advocated such constructive engagement.

Canada reaffirms its position that the United States is not solely responsible for Cuba's difficulties. Last year, for example, there was no alleviation of the Cuban State's systematic repression of its citizens' rights of freedom of expression, freedom of assembly and freedom of movement.

Canada will continue to practise a policy of openness and frankness in its dialogue with Cuba, and it maintains its opposition to the economic embargo of Cuba, with its humanitarian consequences for the people of Cuba.

**Mr. Suh** (Republic of Korea): My delegation shares the concern already expressed by other delegations about the problem of the extraterritorial application of jurisdiction embodied in the so-called Helms-Burton Act. Such legislation has far-reaching implications for the norms and general principles of international law.

Having considered this matter for several years, the Government of the Republic of Korea decided to vote in favour of draft resolution A/54/L.11. This decision should not be interpreted to mean that we are no longer concerned about democracy and human rights in Cuba. We hope that progress will be made in this regard in the near future.

**Mr. Pérez-Otermin** (Uruguay) (*spoke in Spanish*): The Uruguayan delegation would like to explain its vote on the resolution just adopted by the General Assembly, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

The Uruguayan delegation voted in favour of this resolution on the basis of one of the essential and traditional principles of its foreign policy — promoting free trade without any restrictions — and also on the basis of the fact that Uruguay's laws do not recognize the extraterritorial application of internal laws. We regard acts of this sort as a clear violation of national sovereignty, which is a basic principle of international law, and also as a violation of the Charter of this Organization.

Uruguay does not see this as the appropriate way to achieve democratic openness in Cuba. Uruguay will therefore continue to take any steps that, in its opinion, may facilitate this desired openness and promote the full enjoyment of the freedoms and rights of a democratic regime.

**Mr. Moura** (Brazil): As in previous years, the delegation of Brazil voted in favour of the resolution on this subject that has just been adopted. In our opinion, the settlement of disputes between States must be sought through peaceful means. Any forceful measures, such as sanctions or embargoes, are exceptions to this general rule. Such measures should be resorted to only when all other means have been exhausted, and in any case they must be firmly based on international law.

Brazil reiterates its position that discriminatory trade practices and the extraterritorial application of domestic law run counter to the need to promote dialogue and to ensure the prevalence of the purposes and principles of the Charter of the United Nations. Sanctions and embargoes that contradict international law increase tensions. If they affect the interests of third States, as they do in this case, the international community has even more reason for concern.

Besides being rejected by the General Assembly, the economic, commercial and financial embargo imposed by the United States of America has been rejected in a number of other international forums, such as the Organization of American States, the Rio Group, the Ibero-American Summit and the Latin American Economic System. The embargo is also not in accordance with the legal obligations of the members of the World Trade Organization.

Brazil joins the near-unanimity of the international community in rejecting these unilateral measures.

**Ms. Zhang Xiao'an** (China) (*spoke in Chinese*): The Chinese delegation voted in favour of the resolution that has just been adopted.

Over the years the United Nations has adopted many resolutions urging all States to observe the Charter of the United Nations and the norms of international law and to avoid implementing laws and measures that endanger third States' legitimate rights and interests. However, regrettably, the United States Government has not responded to the international community's calls. It has refused to implement the relevant resolutions of the General Assembly.

The continuing sanctions and embargo imposed by the United States Government have posed great difficulties for the Cuban people in their endeavour to achieve economic and social development and reform, thus seriously constraining the Cuban Government's efforts to eradicate poverty and enhance its people's living standards. Cuban women and children have borne the brunt of the suffering, especially in terms of their health and welfare.

The United States embargo against Cuba violates the human rights of the peoples of other States, and its unilateral actions have also hindered Cuba's engagement in normal trade and economic contacts with many other countries, thereby seriously encroaching upon Cuba's legitimate rights and interests.

This kind of phenomenon should not be allowed to persist. History tells us that only on the basis of mutual respect for other States' choices and through dialogue and negotiation on an equal footing can differences between States be effectively resolved. We hope that the United States Government will take constructive actions that are in keeping with the times.

**Mr. Brattskar** (Norway): The Norwegian Government believes there is a clear distinction between unilateral measures and sanctions adopted by the international community through the United Nations. Only sanctions adopted by the international community through relevant and representative organizations have the necessary legitimacy, and no country should impose its legislation on third countries.

Therefore, Norway again this year voted in favour of the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", contained in document A/54/L.11. This does not in any way mean that Norway condones violations of human rights in Cuba. We do not, however, consider isolation through unilateral measures, such as the embargo under

discussion, to be an appropriate response to the situation and developments in Cuba.

Norway believes that more can be achieved through a constructive dialogue from which no theme should be excluded. We are at present engaged in such a constructive and open dialogue with Cuban authorities, a dialogue that focuses on human rights.

**Mr. Blumenthal** (Australia): Australia voted in favour of resolution 54/21. While Australia shares concerns about the state of human rights and political freedoms in Cuba, we do not consider that isolating Cuba through economic sanctions is an effective means of achieving human rights and political reform. Australia has consistently expressed its opposition, as a matter of principle, to the promulgation and application by States Members of the United Nations of laws and measures whose extraterritorial effects affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction, as well as the freedom of trade and navigation. In Australia's view, such laws and measures are not justified by the principles of international law and comity. Australia is concerned about the unilateral extraterritorial aspects of the Helms-Burton Act, which codifies and broadens the embargo by targeting foreign investors in Cuba.

For these reasons, Australia has again voted in favour of the resolution submitted under this item.

**The President:** May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 22?

*It was so decided.*

*The meeting rose at 1 p.m.*